

1 JUDGE RONALD B. LEIGHTON  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

8 UNITED STATES OF AMERICA, ) NO. CR05-5747RBL  
9 Plaintiff, )  
10 vs. ) ORDER GRANTING STIPULATED  
11 ) MOTION TO CONTINUE TRIAL  
RAUL ALVARADO-MARTINEZ, ) DATE  
12 STACEY COMER, and BRANDON )  
TRAVER, )  
13 Defendants. )  
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15 Based on the stipulated motion of the parties to continue the trial date, and the  
16 affidavit of defense counsel in support of the motion, the Court makes the following  
17 findings of fact and conclusions of law:  
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1. The ends of justice served by granting this continuance outweigh the best  
19 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).  
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2. Proceeding to trial absent adequate time for the defense to prepare would  
21 result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(i).  
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3. The defense needs additional time to explore issues of some complexity,  
23 including all relevant issues and defenses applicable to the case, which would make it  
24 unreasonable to expect adequate preparation for pretrial proceedings or for trial itself  
25 within the time limits established by the Speedy Trial Act and currently set for this case.  
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18 U.S.C. § 3161(h)(8)(B)(ii).

ORDER GRANTING STIPULATED MOTION  
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4. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendants the reasonable time for effective preparation their defenses. 18 U.S.C. § 3161(h)(8)(B)(iv).

## NOW, THEREFORE,

IT IS HEREBY ORDERED that the trial date is continued from January 9, 2006 to **MARCH 27, 2006, at 9:00 am.** The resulting period of delay from January 9, 2006 to March 27, 2006, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(8)(A) and (B).

Pre-trial motions are due no later than **FEBRUARY 13, 2006**.

Pre-trial conference shall be on **MARCH 21, 2006, at 9:00am.**

IT IS SO ORDERED this 22nd day of December, 2005.

RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE

## Presented By:

*/s/ Russell V. Leonard*

*/s/ William H. Redkey, Jr.*

Russell V. Leonard  
Attorney for Raul Alvarado-Martinez

William H. Redkey, Jr.  
Assistant United States Attorney

/s/ Ronald D. Ness  
Ronald D. Ness  
Attorney for Stacey Comer

/s/ Thomas A. Campbell  
Thomas A. Campbell  
Attorney for Brandon Traver

**ORDER GRANTING STIPULATED MOTION  
TO CONTINUE TRIAL DATE  
*U.S. v. Alvarado-Martinez; CR05-5747RBL***

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